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9 **ON SIGNATURE PAGE]**

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17 **Attorneys for Defendant**
17 **ABBOTT LABORATORIES**

19
19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**

21
21 IN RE ABBOTT LABS NORVIR) No. C-04-1511 CW
22 ANTITRUST LITIGATION)
23) **STIPULATION BY PARTIES PROPOSING**
23) **MODIFIED LITIGATION SCHEDULE**
23) **AND ORDER THEREON AS MODIFIED**
24)
25)
26)
27)
28)

RECITALS

2 WHEREAS, pursuant to an earlier Stipulation of the parties dated August 14, 2006,
3 approved by an Order of the Court dated August 22, 2006, the parties were to submit a revised
4 proposed litigation schedule to the Court no later than August 24, 2006. The parties timely
5 submitted a revised proposed litigation schedule, but were subsequently advised by the Court of
6 changes that had to be made to the proposed schedule;

7 WHEREAS, the Court has also directed that the proposed schedule include identification
8 of the patent claims asserted by defendant Abbott Laboratories, Inc. in defense of plaintiffs'
9 claims for relief;

10 WHEREAS, defendant Abbott Laboratories, Inc. has identified the patents and claims on
11 which it relies as follows: claims 1 to 92 of U.S. Patent No. 6,703,403; claims 1 to 18 of U.S.
12 Patent No. 6,037,157; claims 1 to 19 of U.S. Patent No. 5,886,036; and claims 1 to 3 of U.S.
13 Patent No. 5,674,882; and

14 WHEREAS, the parties have met and conferred and have agreed to the proposed litigation
15 schedule set forth below.

STIPULATION

17 NOW, THEREFORE, it is hereby stipulated among the parties that, subject to approval by
18 the Court, the parties have agreed to the following proposed litigation schedule:

	EVENT	DATE
19	Plaintiffs to file Class Certification Motion	October 6, 2006
20	Abbott to propound written (class) discovery to plaintiffs	October 16, 2006
21	Settlement Conference (Magistrate Judge Larson)	November 8, 2006
22	Plaintiffs to provide responses to written discovery	November 10, 2006
23	Depositions of class representatives begin	November 17, 2006
24	Plaintiffs to make expert(s), if any, available for deposition on class certification issues no later than	December 15, 2006
25	Abbott to file Opposition to Class Certification Motion	January 16, 2007
26	Abbott to make expert(s), if any, available for deposition on	February 8, 2007
27		
28		

1	class certification issues no later than	
2	Plaintiffs to file reply to Class Certification Motion	March 16, 2007
3	Suggested hearing date for hearing on Class Certification Motion	March 30, 2007
4	Case Management conference (following hearing on Class Certification Motion)	March 30, 2007
5	Fact discovery cutoff	June 1, 2007
6	Expert Disclosure: "Opening"	July 2, 2007
7	Expert Disclosure: "Rebuttal"	August 1, 2007
8	Complete depositions of experts	August 31, 2007
9	Last day to file Abbott's dispositive motions & Abbott's Proposed Claims Construction (contained within one brief)	September 10, 2007
10	Opposition Brief and Cross-Motion (contained within one brief)	October 19, 2007
11	Reply Brief	November 2, 2007
12	Reply to Cross-Motion	November 9, 2007
13	Hearing on Summary Judgment & Claims Construction	November 30, 2007
14	Rule 16 Conference	February 29, 2008
15	Trial	March 10, 2008
16	Dated: September 14, 2006	Respectfully submitted,

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1 Dated: September 14, 2006

Respectfully submitted,

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11 **Attorneys for Defendant**
ABBOTT LABORATORIES

12 **ORDER**

13 IT IS SO ORDERED.

14 Dated: September 22, 2006

/s/ CLAUDIA WILKEN

15
16 United States District Judge